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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Michelle Greybill, as Administrator of the
Estate of John Greybill,

Plaintiff,

v.

NaphCare, Inc., City of Henderson, Vernon
Maniago, Mandana Ziaei-Ghafouri, Ivy Rose
Volonte, EbonyMichelle Garner, Brittany
Reyes, Sheldon Chase, Selma Tabakovic,
Sheena Carnate, and Jackie Gonzalez,

Defendants.

Case No: 2:24-cv-01276-CDS-EJY

**PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO SERVE**

Plaintiff Michelle Greybill, as Administrator of the Estate of John Greybill, by and through her attorneys, Kaplan & Grady LLC and Holland & Hart LLP, respectfully asks this Court for an extension of 30 days, up to and including November 12, 2024, to serve certain Defendants in this

1 matter. This is Plaintiff's first request for an extension of time to serve certain Defendants. In
2 support of her motion, Plaintiff states as follows:

3
4 1. Plaintiff filed her Complaint on July 15, 2024. *See* ECF No. 1. The deadline to
5 complete service is October 13, 2024. *See* Fed. R. Civ. P. 4(m) (90 days for service after complaint
6 is filed); Fed. R. Civ. P. 6(a)(2) (rules for computing time).

7 2. The Federal Rules provide that if a plaintiff "shows good cause" for failing to serve
8 a defendant within the time specified by the rule, "the court must extend the time for service for
9 an appropriate period." Fed. R. Civ. P. 4(m). Even absent a showing of good cause, "courts have
10 broad discretion to extend time for service under Rule 4(m)." *Efaw v. Williams*, 473 F.3d 1038,
11 1041 (9th Cir. 2007).

12 3. Here, good cause exists to extend the time for service. Plaintiff has worked
13 diligently to locate and serve Defendants. Plaintiff has effected timely service on two Defendants,
14 Defendant City of Henderson and Defendant NaphCare, Inc. (NaphCare). *See* ECF Nos. 15, 17.
15 In addition, Defendant Jackie Gonzalez has timely executed a waiver of service. *See* ECF No. 16.
16 In an effort to serve the remaining Defendants—eight individuals whom Plaintiff alleges were
17 NaphCare employees at all times relevant to the claims in this case—Plaintiff contacted
18 NaphCare's counsel to ascertain whether he could accept service on their behalf.

19 4. NaphCare's counsel has informed Plaintiff that he is not yet certain whether he
20 can accept service on behalf of the individual NaphCare Defendants—Vernon Maniago, Mandana
21 Ziaei-Ghafouri, Ivy Rose Volonte, EbonyMichelle Garner, Brittany Reyes, Sheldon Chase, Selma
22 Tabakovic, and Sheena Carnate. Counsel has assured Plaintiff that he will let her know the answer
23 soon.

24 5. Plaintiff moves for an additional 30 days to serve the individual NaphCare
25 Defendants. If counsel for NaphCare proves unable to timely accept service for the individual
26 NaphCare Defendants, Plaintiff will promptly resume her efforts to locate and serve them.

1 6. No Defendant will suffer prejudice from the granting of Plaintiff's motion.
2 Defendants NaphCare, City of Henderson, and Jackie Gonzalez do not oppose Plaintiff's motion
3 for a 30-day extension.

4 Wherefore, Plaintiff respectfully requests that the deadline to complete service as to
5 Defendants Vernon Maniago, Mandana Ziaei-Ghafouri, Ivy Rose Volonte, EbonyMichelle
6 Garner, Brittany Reyes, Sheldon Chase, Selma Tabakovic, and Sheena Carnate, be extended by
7 30 days, up to and including November 12, 2024.

8
9 DATED this 30th day of September 2024.

10
11 **KAPLAN & GRADY LLC**

12
13 /s/ Terah Tollner
Terah Tollner

14 Sarah Grady (*pro hac vice*)
15 Terah Tollner (*pro hac vice*)
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24
25 **IT IS SO ORDERED.**

26 
27 U.S. MAGISTRATE JUDGE

28 **Date: September 30, 2024**

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